

TO: Clerk's Office
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK



APPLICATION FOR LEAVE
TO FILE DOCUMENT UNDER SEAL

UNITED STATES OF AMERICA

-v.-

25-MJ-67

CRISOFORO ACEVEDO-ITURBE

Docket Number

SUBMITTED BY: Plaintiff _____ Defendant _____ DOJ
Name: Rebecca M. Urquiola

Firm Name: USAO-EDNY

Address: 271A Cadman Plaza East
Brooklyn, NY 11201

Phone Number: 718-254-6049

E-Mail Address: rebecca.urquiola@usdoj.gov

INDICATE UPON THE PUBLIC DOCKET SHEET: YES NO
If yes, state description of document to be entered on docket sheet:

MANDATORY CERTIFICATION OF SERVICE:

A.) A copy of this application either has been or will be promptly served upon all parties to this action, B.) Service is excused by 31 U.S.C. 3730(b), or by the following other statute or regulation: _____; or C.) This is a criminal document submitted, and flight public safety, or security are significant concerns.
(Check one)

2/25/2025
DATE

Rebecca M. Urquiola
SIGNATURE

A) If pursuant to a prior Court Order:

Docket Number of Case in Which Entered: _____
Judge/Magistrate Judge: _____
Date Entered: _____

B) If a new application, the statute, regulation, or other legal basis that authorizes filing under seal

ongoing investigation; risk of flight

**ORDERED SEALED AND PLACED IN THE CLERK'S OFFICE,
AND MAY NOT BE UNSEALED UNLESS ORDERED BY
THE COURT.**

DATED: Brooklyn , NEW YORK

02/25/2025

Lara K. Eshkenazi

U.S. MAGISTRATE JUDGE

RECEIVED IN CLERK'S OFFICE

DATE

KTF:RMU
F. #2025R00091

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

CRISOFORO ACEVEDO-ITURBE,
Defendant.

TO BE FILED UNDER SEAL

C O M P L A I N T A N D
A F F I D A V I T I N S U P P O R T
O F A N A R R E S T W A R R A N T

(8 U.S.C. §§ 1326(a) and (b)(2))

No. 25-MJ- 67

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EASTERN DISTRICT OF NEW YORK, SS:

Michael Romano, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (“HSI”), duly appointed according to law and acting as such.

On or about June 2, 2023, within the Eastern District of New York and elsewhere, the defendant CRISOFORO ACEVEDO-ITURBE, being an alien who had previously been deported and removed from the United States after a conviction for the commission of an aggravated felony, was found in the United States, without the Attorney General of the United States and the Secretary of the Department of Homeland Security having expressly consented to such alien’s applying for admission.

(Title 8, United States Code, Sections 1326(a) and (b)(2))

The source of your deponent’s information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to

1. I am a Special Agent with HSI and have undergone extensive law enforcement and legal training involving Title 8 of the United States Code concerning illegal reentry of aliens into the United States. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about June 8, 2003, the defendant CRISOFORO ACEVEDO-ITURBE was arrested in Middletown, New York, for driving while intoxicated and was convicted on December 18, 2003. On or about January 11, 2005, ACEVEDO-ITURBE was charged with an immigration violation, and was ordered removed in absentia on or about September 28, 2005.

3. On or about January 4, 2006, the defendant CRISOFORO ACEVEDO-ITURBE was ordered removed from the United States by an Immigration Judge in New York, New York. On or about March 16, 2007, ACEVEDO-ITURBE was deported to Mexico.

4. On or about March 9, 2009, the defendant CRISOFORO ACEVEDO-ITURBE was arrested by the New Windsor Police Department ("NWPD") for Rape in the First Degree, an aggravated felony in violation of New York Penal Law ("NYPL") § 130.35. On or about March 10, 2009, after Immigration and Customs Enforcement ("ICE") was put on notice of ACEVEDO-ITURBE's arrest, ICE issued an immigration detainer for ACEVEDO ITURBE to be deported to Mexico. On or about August 17, 2009, ACEVEDO-ITURBE was convicted of Rape in the First Degree and sentenced to five years' imprisonment.

establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

5. On or about September 17, 2009, the defendant CRISOFORO ACEVEDO-ITURBE was taken into federal custody. ACEVEDO-ITURBE was charged in the Southern District of New York with illegal reentry in violation of Title 8, United States Code, Section 1326(a), and pled guilty on November 12, 2009. ACEVEDO-ITURBE was sentenced to six months' imprisonment.

6. On or about December 24, 2013, after the defendant CRISOFORO ACEVEDO-ITURBE had served both his state and federal sentence and was taken into ICE custody, the defendant was deported to Mexico.

7. On or about July 13, 2022, law enforcement agents received an unverified tip stating that the defendant CRISOFORO ACEVEDO-ITURBE was stopped for speeding in Maryland and presented a New York State driver's license. Shortly thereafter, law enforcement officers subpoenaed records from the Department of Motor Vehicles ("DMV") in New York and discovered that the defendant had obtained a driver's license on March 21, 2022 at a DMV location in Staten Island. The license bore ID number 116558642; listed an address in Staten Island, New York; and identified the defendant's birthday as November 24, 1970.

8. I have compared known photographs of the defendant CRISOFORO ACEVEDO-ITURBE from his alien file and law enforcement databases with the photograph on the driver's license described above. Based on my review of those photographs, I believe they are the same person, ACEVEDO-ITURBE, who was previously removed to Mexico. Below is a photograph from ACEVEDO-ITURBE's alien file from his 2007 deportation, and the photograph on the 2022 driver's license.



2022 Driver's License Photo



2007 ICE Deportation Photo

9. The defendant CRISOFORO ACEVEDO-ITURBE was last seen on or about June 2, 2023, in connection with a vehicular accident in Staten Island, New York. ACEVEDO-ITURBE provided his driver's license to officers, which listed the same driver's license ID number, 116558642, as the ID number on defendant's license, and the same address in Staten Island as the license the defendant obtained in March 2022.

10. A search of immigration records reveals that there exists no request by the defendant CRISOFORO ACEVEDO-ITURBE for permission from either the Secretary of the Department of Homeland Security or the Attorney General of the United States to reenter the United States after removal.

11. Because public filing of this document could result in a risk of flight by the defendant CRISOFORO ACEVEDO-ITURBE, as well as jeopardize the government's ongoing investigation, I respectfully request that this complaint, as well as any arrest warrant issued in connection with this complaint, be filed under seal.

WHEREFORE, your deponent respectfully requests that the defendant CRISOFORO ACEVEDO-ITURBE be dealt with according to law.

/s/ Michael Romano
Michael Romano
Special Agent, United States Department of
Homeland Security, Homeland Security
Investigations

Sworn to before me by telephone this
25 day of February, 2025

Lara K. Eshkenazi
THE HONORABLE LARA K. ESHKENAZI
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT
for the
Eastern District of New York

United States of America

v.
CRISOFORO ACEVEDO-ITURBE

)
Case No. 25- MJ-67
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Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Crisoforo Acevedo-Iturbe,
who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

The defendant is charged with illegal reentry (Title 18, United States Code Sections 1326(a) and (b)(2))

Date: 02/25/2025

Lara K. Eshkenazi
Issuing officer's signature

City and state: Brooklyn, NY

United States Magistrate Judge

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.

(Not for Public Disclosure)

Name of defendant/offender: Crisoforo Acevedo-Iturbe

Known aliases:

Last known residence: 42 Gary Court Apt. 2, Staten Island, NY 10314

Prior addresses to which defendant/offender may still have ties:

Last known employment:

Last known telephone numbers:

Place of birth: Mexico

Date of birth: 11/24/1970

Social Security number:

Height: 5'7

Weight:

Sex: Male

Race:

Hair: Brown

Eyes: Brown

Scars, tattoos, other distinguishing marks:

History of violence, weapons, drug use:

Known family, friends, and other associates (*name, relation, address, phone number*):

FBI number:

Complete description of auto:

Investigative agency and address:

Name and telephone numbers (office and cell) of pretrial services or probation officer (*if applicable*):

Date of last contact with pretrial services or probation officer (*if applicable*):